

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Derrick Mitchell**

**Docket No. 5:17-CR-314-1D**

**Petition for Action on Supervised Release**

COMES NOW Christopher Studley, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Derrick Mitchell, who, upon an earlier plea of guilty to Possession of a Firearm and Ammunition by a Convicted Felon, 18 U.S.C. § 922(g)(1), 18 U.S.C. § 924(a)(2), was sentenced by the Honorable James C. Dever III, U.S. District Judge, on September 6, 2018, to the custody of the Bureau of Prisons for a term of 54 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Derrick Mitchell was released from custody on March 12, 2021, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On July 6, 2021, the defendant submitted a urinalysis drug screen which tested positive for the use of cocaine. The test was confirmed positive by Alere National Laboratory on August 8, 2021. When confronted with the positive test, the defendant admitted using cocaine. The defendant previously completed outpatient substance abuse treatment successfully, however, he admitted that he continues to struggle with illegal substance use. In response to the defendant's use, it is recommended that the defendant's conditions of supervise release be modified to include participation in a cognitive behavioral program (MRT). In addition to participating in a cognitive behavioral program, the defendant will be referred to First Step Services for additional substance abuse treatment. No further action is recommended at this time.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Julie W. Rosa

Julie W. Rosa

Supervising U.S. Probation Officer

/s/ Christopher Studley

Christopher Studley

Senior U.S. Probation Officer

310 New Bern Avenue, Room 610

Raleigh, NC 27601-1441

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Executed On: August 20, 2021

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**ORDER OF THE COURT**

Considered and ordered this 20 day of August, 2021, and ordered filed and made a part of the records in the above case.

J. C. Dever

James C. Dever III  
U.S. District Judge